

NASHVILLE, TENNESSEE

June 2, 2004

IN RE:

JOINT PETITION FOR ARBITRATION OF NEWSOUTH COMMUNICATIONS CORP, NUVOX COMMUNICATIONS, INC., KMC TELECOM V, INC., KMC TELECOM III LLC, AND XSPEDIUS COMMUNICATIONS, LLC ON BEHALF OF ITS OPERATING SUBSIDIARIES XSPEDIUS MANAGEMENT CO., SWITCHED SERVICES, LLC AND XSPEDIUS MANAGEMENT CO. OF CHATTANOOGA, LLC OF AN INTERCONNECTION AGREEMENT WITH BELL SOUTH TELECOMMUNICATIONS, INC.

DOCKET NO.
04-00046

ORDER GRANTING PERMISSION TO APPEAR *PRO HAC VICE*

This matter is before the Pre-Arbitration Officer pursuant to the *Affidavit of John J. Heitmann for Permission to Practice Pro Hac Vice* (“Affidavit”) filed with the Tennessee Regulatory Authority (“TRA”) on May 12, 2004 by NewSouth Communications, Corp., NuVox Communications, Inc., KMC Telecom V, Inc., KMC Telecom III LLC, and Xspedius Communications, LLC on behalf of its operating subsidiaries Xspedius Management Co. Switched Services, LLC and Xspedius Management Co. of Chattanooga, LLC.

The *Affidavit* states that John Heitmann is an attorney licensed and in good standing in the state of New York and the District of Columbia, employed by Kelley Drye & Warren, with no disciplinary actions or investigations pending. As declared in the *Affidavit*, Mr. Heitmann agrees to be subject to the jurisdiction of the TRA in any matter arising out of conduct in this proceeding and agrees to be bound by the rules governing the conduct of attorneys appearing before the Agency.

In as much as the *Affidavit* complies with Rule 19 of the Tennessee Supreme Court and Tenn. Comp. R. & Reg. 1220-1-2-.04(7),

IT IS THEREFORE ORDERED THAT:

Permission to appear before the TRA in this Docket is hereby granted.

A handwritten signature in cursive script, reading "Kim Beals", written over a horizontal line.

Kim Beals, Counsel
as Pre-Arbitration Officer